IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.363 OF 1999

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Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

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Shri A.S.Khandeparkar for the Petitioner.
Shri P.G.Karande for the Respondent No.1.
Shri S.M.Gaware for the Respondent Nos.2 to 4.

CORAM : ABHAY S.OKA, J.
DATED : FEBRUARY 22, 2007.

P.C.:

1. Shri Khandeparkar appearing for the Petitioner seeks permission to withdraw this Writ Petition with liberty to file a civil suit. Shri Karande appearing for the contesting Respondent No.1 submits that a civil suit will not be maintainable on various grounds and therefore, liberty cannot be granted. If the Petitioner widraws the Writ Petition and files a suit, the Respondents can always raise all legal and factual contentions in the suit including the contention regarding maintainability of the suit.

2. Hence, Writ Petition is dismissed as withdrawn with liberty as prayed. It is made clear that all contentions of the Respondents in the suit which may be filed by the Petitioner are expressly kept open. No orders as to costs.

JUDGE